DECISION
AND
FINDING OF NO SIGNIFICANT IMPACT
FOR
WILDLIFE DAMAGE MANAGEMENT
IN THE
NORTHERN UTAH ADC DISTRICT

INTRODUCTION and PROPOSED ACTION:

The U.S. Department of Agriculture, Animal and Plant Health Inspection Service (APHIS), Animal Damage Control (ADC) program receives requests to conduct wildlife damage management to protect livestock, wildlife, and public health and safety in the northern Utah ADC District (District). To develop this environmental assessment (EA), ADC worked cooperatively with the Ashley, Uinta, and Wasatch-Cache National Forests, and the Richfield, Salt Lake and Vernal Bureau of Land Management (BLM) Districts, the Utah Division of Wildlife Resources (UDWR) and the Utah Department of Agriculture (UDA). This Decision and Finding of No Significant Impact (FONSI) are based on the analysis in the EA.

The purpose of the proposed action is to alleviate damage caused by predators in the District. The needs for the program, as identified in the EA, are that wildlife, livestock, and at times, public health or safety may be adversely affected by predators. Livestock producers (cooperators) in the District depend on ADC to help reduce the number of livestock killed, injured or harassed by predators, and help maintain the economic viability of their operations and the economic viability of some local communities. The UDWR, at times, requests assistance from ADC to help achieve their wildlife management objectives for the State of Utah.

The area encompassed by the District is about 21.7 million acres. The District has agreements to conduct wildlife damage management on about 13.1 million acres, which is 60% of the area, but only conducted wildlife damage management on about 8,250,593 acres (38% of the area) in Fiscal Year (FY) 93, on 5,302,136 acres (24% of the area) in FY 94, and on 7,595,124 acres (35% of the area) in FY 95. Cattle and sheep are permitted to graze on Federal lands under the jurisdiction of the Forest Service and BLM, on State land, and on the private lands of livestock producers that participate in the cooperative ADC program. On Federally managed lands, livestock grazing conforms to the respective National Forest Land and Resource Management Plan (LRMP), and the respective BLM District Resource Management Plan (RMP) or Management Framework Plan (MFP).

ADC is the Federal agency charged by law and authorized to reduce the damage caused by predatory animals on livestock or wildlife and for resolving public health or safety concerns on Forest Service, BLM and other lands when requested. ADC cooperates with the Forest Service, BLM, UDWR, and UDA to minimize damage caused by wildlife. The UDWR has the responsibility to manage all protected and classified wildlife in Utah, except Federally listed threatened and endangered (T&E) species. The UDA has the responsibility to manage species classified as predatory animals. Livestock producers and wildlife management agencies have requested ADC to conduct predator damage management to reduce livestock and wildlife losses and safeguard public health and safety in the District. ADC's authority is derived from the Animal Damage Control Act of March 2, 1931, as amended (46 Stat. 1486; 7 U.S.C. 426-426c), the Rural Development, Agriculture, and Related Agencies Appropriations Act of 1988 (Public Law 100-202, Dec. 22, 1987, Stat. 1329-1331 (7 U.S.C. 426c)), and in Utah by the Utah Agricultural and Wildlife Damage Prevention Act.

Memoranda of Understanding (MOUs) signed between APHIS-ADC and the Forest Service, BLM, UDWR and UDA clearly outline the responsibility, technical expertise, and coordination between agencies. These MOUs provide guidance for compliance with the National Environmental Policy Act (NEPA) with the Forest Service and BLM, and the basis for the interdisciplinary process used to develop the EA. A Multi-agency Team with

representatives and advisors from each of the cooperating agencies (Forest Service, BLM, UDWR, UDA) convened to assist in the assessment of wildlife damage management in the District. The Forest Service and BLM cooperated with ADC to determine whether the proposed action on Forest Service or BLM lands is in compliance with relevant laws, regulations, policies, orders, and procedures. All wildlife damage management will be conducted in a manner consistent with the Endangered Species Act of 1973 including the Section 7 Consultation with the U.S. Fish and Wildlife Service.

This EA analyzes the potential environmental and social effects for preventing or resolving predator damage to livestock and wildlife, and reducing threats to public health and safety from predators in the District. It provides an objective comparison of six alternatives addressing wildlife damage management. Comments from public involvement letters and comments from the Pre-Decisional EA were reviewed for substantive issues and alternatives in developing this Decision. The analysis and supporting documentation are available for review at the U.S. Department of Agriculture, Animal and Plant Health Inspection Service, Animal Damage Control Office, P.O. Box 26976, Salt Lake City, Utah 84126-0976.

Decision and Rationale

I have carefully reviewed the EA and the input from the public involvement process. I believe the issues identified in the EA are best addressed by selecting Alternative 3 (the preferred Alternative in the EA) and applying the associated mitigation and monitoring measures discussed in Chapter 3 of the EA and this Decision. I have also decided to adopt the Pre-Decisional Northern Utah ADC District EA as the final. Most corrections identified from public comments were editorial in nature and did not change the analysis. Some of these comments are discussed below.

Public Review Comments from the Pre-Decisional EA

A. One comment was received which stated that ADC did not use or meet the standards used by the BLM or Forest Service when preparing this EA, nor did ADC separately assess impacts for each BLM District or National Forest within the northern Utah ADC District.

Normally, according to the APHIS procedures implementing the National Environmental Policy Act (NEPA), individual wildlife damage management actions can be categorically excluded (7 CFR 372.5(c), 60 Fed Reg. 6,000-6,003, 1995). To evaluate and determine if there may be any potentially significant impacts to the human environment from the proposed program, ADC prepared this EA. The EA documents the analysis of potential environmental effects of the proposed and planned damage management activities in the northern Utah ADC District.

The EA estimates predator populations for the northern Utah ADC District to better assess cumulative and significant impacts from an ecosystem perspective, including estimating predator populations within the "ecosystem" in northern Utah. Coyote, and the other predator populations evaluated in the EA, are not bound by human-made political boundaries, such as a BLM District or National Forest boundary, but are dependent on an adequate prey base and intra-specific competition and density. *"On the whole, the coyote is an extremely adaptable, flexible, and ubiquitous species in the western United States. It inhabits a wide variety of environments from the top of mountain ranges (including winter) to the bottoms of the desert, and most intervening types. It flourishes on the fringe of agricultural areas, and has moved into suburban areas of numerous towns"* (Wagner 1972). The black bear and cougar are managed by the UDWR, which monitors and regulates the harvest of these species to insure no adverse population impacts from mortality. Individual predators in areas with high predator populations will disperse into areas with relatively low populations of predators because of conspecific competition, and if the prey base and other life requirements of the species are not met (Knowlton 1972, Seidensticker et al. 1973, Ashman et al. 1983). Predators that ADC targets because of depredation problems are highly mobile animals and can readily disperse into areas of relatively low population densities. By estimating predator populations for the District,

cumulative impacts can better be assessed over the entire area.

B. One comment was received which stated that using objectives in the analysis caused "*serious problems,*" as to NEPA compliance and that the EA should have used "*issues to identify alternatives which respond to those issues within a broad framework of regulatory and statutory policy.*"

ADC, in fact, did use and consider the issues contributed by the public and cooperating agencies and also objectives when developing the alternatives and the EA. Both issues and objectives were used in the analysis of impacts as presented in Chapter 4 of the EA. Chapter 4 analyzed the impacts on the human environment associated with each issue and alternative considered in detail, how well each alternative compares to the issues and objectives, and determines if they are consistent with Forest Service LRMPs and BLM RMPs or MFPs. ADC believes it has the authority and responsibility to set program objectives for meeting its legal responsibilities and to monitor the effectiveness of the program. Setting objectives is part of a good planning process and sets goals for the organization.

C. One comment was received cited work by Wagner (1972) and interpreted his work, which stated that removing predators and preventive damage management using widespread, poison-laced meat baits (coyote damage management) was ineffective in reducing predation to livestock, to mean that the preventive work done today (as discussed in the EA) should not be done.

Various authors, including Wagner have suggested that some forms of preventive management are effective. Available data suggest that coyote densities and activity near sheep are directly proportional to the number of sheep and lambs killed and affected by coyotes directly or indirectly (Wagner 1972, Shelton and Klindt 1974, Tigner and Larsen 1977, Robel 1981). Tigner and Larsen (1977), when investigating the causes of sheep mortality, believed that predators were responsible for indirect damage to herds as well as outright killing. Scattering of the herd by predators probably caused some ewes and their lambs to become separated so that lambs died from starvation, trampling, or exposure without their death being attributed to predation. In addition, when sheep on rangelands are repeatedly harassed by predators, they become extremely "*spooky*" and do not disperse and feed normally. Therefore they may not find the quality and quantity of feed that they would have if unstressed, resulting in lower weights at the end of the grazing season. Wagner (1988) discussed additional examples of indirect predator damage including increased labor costs to find sheep scattered by predators and range damage related to the tighter herding required in response to the presence of predators.

The available data also suggest that region-wide or statewide lethal preventive predator damage management using toxicants in large meat baits does not reduce predation to livestock; this strategy is not used by ADC. Nonlethal preventive damage management was used by all sheep producers with Cooperative Agreements with ADC in the District in 1995, and 87% of those producers utilized five or more non-lethal preventive damage management methods (ADC 1996). Lethal preventive damage management, as conducted by ADC, consists of removing coyotes in specific areas without the use of toxicants in large meat baits. ADC uses more selective methods to remove coyotes from specific areas where historical coyote predation problems to livestock have occurred or in specific grazing areas where livestock use is scheduled. Black bear and cougar predation problems are handled on a case-by-case, corrective basis per State regulation.

Consistency

Wildlife damage management will be conducted on National Forest System and BLM lands consistent with the MOUs between APHIS-ADC, the Forest Service and BLM, the EA, and Forest Service and BLM policies. Any Work Plans developed for wildlife damage management, pursuant to this Decision, will be consistent with the direction provided in the LRMPs for the Ashley, Uinta, and Wasatch-Cache National Forests and with the RMP or MFPs for the Richfield, Salt Lake, and Vernal BLM Districts. On Forest Service or BLM managed lands, public safety and environmental concerns are adequately mitigated through jointly developing Work Plans with the Forest

Service or BLM, UDWR, UDA, and ADC. The Forest Service or BLM may, at times, restrict wildlife damage management that threatens public safety or resource values; modifications may also be made in areas where wildlife damage management is permitted.

The analyses in the EA demonstrate that Alternative 3 provides ADC the best opportunity to address the issues and to meet the stated objectives, had the lowest impacts on nontarget species, and reduced the adverse effects of predation on designated wildlife and threatened or endangered (T&E) species. Alternative 3 best: 1) addresses the issues identified in the EA and provides environmental safeguards for public safety, 2) balances the economic effects of livestock losses to Forest Service, BLM, and State land permittees, and private land owners with the concerns for the other multiple use values of the Forest Service, and BLM, and 3) allows ADC to meet its obligations to the UDWR, UDA, and cooperating counties and individuals within the District. As a part of this Decision, within one year the Utah ADC program will provide all cooperators and cooperating Federal, State, and local agencies information on nonlethal management techniques proven to be effective for reducing predation. New cooperators or cooperating agencies will be provided this information within three weeks of signing a cooperative agreement, and new information on proven nonlethal management techniques will be provided to all cooperators and cooperating agencies within one year of its availability.

Monitoring

ADC's proposed action is to reduce or minimize wildlife damage to livestock and wildlife and to safeguard public health and safety in the District. The Utah ADC program, in cooperation with the UDWR, will monitor the impact on target species in the District and statewide to determine if the total take of wildlife is within acceptable limits. Utah ADC will use MIS data to monitor the impact on coyote populations using a catch-per-unit of effort method or other recognized monitoring technique. UDWR harvest and population census/survey/modeling data will be used to determine the impact of total take on predator species management by the UDWR. ADC's progress toward the implementation of the objectives found in Chapter 1 of the EA, including Objective A-7 whose purpose is to monitor the implementation of producer nonlethal techniques, will be continued. Nonlethal actions being used by cooperators will be tracked by the ADC MIS database once this capability is fully developed.

Public Involvement

The normal public involvement process as shown in the APHIS NEPA implementing regulations (7 CFR 372.8) requires only a notification of the availability of NEPA documents to the public. Here, APHIS-ADC has chosen to go well beyond this minimum step. The public involvement utilized in this analysis was extensive. More than 1,180 local and national organizations and individuals were contacted to solicit participation for the analysis. In addition, a news release and formal notices were published in three statewide and regional newspapers before the analysis. Fifty-nine (59) responses were received from organizations and individuals as part of this initial process; these responses were reviewed for substantive issues and alternatives analyzed in the EA.

Ninety (90) Pre-Decision EAs were mailed to organizations, individuals, public agencies, and local American Indian Tribes for review and comment. Nineteen (19) individuals, organizations, or agencies provided written comments on the Pre-Decision EA. These comments were considered in developing this Decision.

The documentation of the public involvement effort, including the written responses, is available for public review. They can be found in the administrative file in the ADC State Director's Office in Salt Lake City, Utah.

Major Issues

The EA describes the alternatives considered and evaluated using the identified issues. The following issues were identified as important to the scope of the analysis (40 CFR 1508.25).

1. Effects on viability of predators and other wildlife (including the potential to jeopardize T&E species).

2. ADC methods and selectivity, relative cost, and humaneness of each method.

3. Appropriate wildlife damage management methods for the land classifications.

4. Public health and safety.

5. Economics.

Alternatives That Were Fully Evaluated

The following Alternatives were developed by the Multi-agency Team to respond to the issues. Seven (7) additional alternatives were considered but not analyzed in detail. A detailed discussion of the effects of the Alternatives on objectives and issues is described in the EA; below is a summary of the Alternatives, objectives, and issues.

Alternative 1. No Action - Continuation of the current Northern Utah ADC program. The No Action Alterative was analyzed and used as a baseline for comparing the effects of the other Alternatives as required by 40 CFR 1502.14(d). This alternative consists of using preventive nonlethal and lethal damage management and corrective lethal damage management for resolving coyote damage and corrective lethal damage management on a case-by-case basis for black bear and cougar damage. Alternative 1 would not allow ADC to fully meet the objectives to hold lamb losses to 5% or less, to respond to all requests, and to assist the UDWR in meeting their wildlife management objectives. The analysis revealed that Alternative 1 would have a low impact on the target species, predator/prey relationships, nontarget, and T&E species.

Alternative 2. No Federal ADC Program. This Alternative would end the Federal wildlife damage management program in the District. Alternative 2 was not selected because ADC is charged by law and reaffirmed by a recent court decision to reduce damage caused by wildlife. This alternative would not allow ADC to meet its statutory responsibility for providing assistance, nor would it facilitate the responsibilities to minimize damage. Alternative 2 would not allow ADC to meet 10 of the 11 objectives for the program. Only the nontarget species objective would be met. The analysis indicates that the level of anticipated impacts of Alternative 2 is higher than those of Alternative 1 or 3 and the same as Alternative 6. Alternative 2 also violates the MOU's between APHIS-ADC and the Forest Service and BLM that mutually recognize that wildlife damage on Forest Service and BLM-managed lands is important and may involve the management of problem predator populations to achieve land and resource management objectives.

Alternative 3. Integrated Wildlife Damage Management for Multiple Resources. This alternative was selected because it best allows ADC to address the issues and meet the objectives described in the EA, and is most consistent with the Forest Service LRMPs and BLM RMPs or MFPs. Alternative 3 conforms to the MOUs between ADC, the Forest Service and BLM that mutually recognize that the management of wildlife damage on Forest Service and BLM lands is important and may involve the management of problem predator populations to achieve land and resource management objectives. Alternative 3 would allow ADC to fully meet all 11 objectives for the program. Analysis revealed that the level of impacts of Alternative 3 was low for the target species, predator/prey relationships, nontarget, and T&E species.

Alternative 4. The Humane Society of the United States (HSUS) Alternative. This alternative would require that: 1) *livestock owners conduct non-lethal control before they receive ADC services*, 2) *ADC use or recommend additional non-lethal control in response to confirmed loss*, 3) *lethal control be limited to shooting or calling and shooting only as a last resort*, and 4) *if the objectives for loss are unattainable, the objectives for public lands be higher than those for private lands (i.e., allow for more losses of livestock and respond to fewer requests for assistance)*. Under this alternative, non-lethal methods selected by producers would include livestock husbandry,

habitat modification, and animal behavior modification methods. Verification of the methods used would be the responsibility of ADC. No standard exists to determine producer diligence in applying these methods nor are there standards to determine how many non-lethal applications are necessary before the initiation of lethal controls. However, as described by the HSUS, ADC would be responsible for implementing or recommending additional non-lethal following confirmed livestock losses. Alternative 4 was not selected, in part, because: 1) ADC is charged by law to minimize damage caused by wildlife, 2) consideration of wildlife needs are not included with the producer-implemented non-lethal methods, 3) considerations of wildlife needs are not included within the HSUS alternative, 4) ADC does not have the regulatory authority to force producers to experiment with various nonlethal methods before providing services nor to impose further administrative or paperwork requirements on those producers, 5) ADC could not afford to monitor losses nor the compliance with these arbitrary constraints, and 6) ADC could not base damage management strategies on the needs of designated wildlife species nor for public health and safety threats caused by predators. Alternative 4 would only allow ADC to meet three objectives and partially meet two out of the 11 objectives described in the EA. Alternative 4 would not allow ADC to meet the objectives for predation to lambs, sheep and calves, to assist the UDWR in meeting their wildlife management objectives, and to meet public safety requests for predators threatening public health and safety. Impacts of Alternative 4 are higher than those for Alternatives 1 or 3.

Alternative 5. Corrective Control Only. This alternative would not allow for any lethal preventive coyote damage management, and lethal management could only be implemented after the onset of losses by coyotes. Black bear and cougar damage would be addressed on a corrective-only basis which is the same procedure as described under the proposed action. Alternative 5 was not selected because it: 1) is often difficult to remove offending coyotes quickly enough to prevent further losses once predation has begun, 2) does not allow ADC to meet the objectives described in the EA, and 3) does not allow ADC to meet its statutory directives. Under Alternative 5, ADC could conduct wildlife damage management only after verification of livestock losses. ADC is charged by law and reaffirmed by a recent court decision to minimize damage caused by wildlife. Alternative 5 would only delay damage management of problem wildlife while verification of losses occurred and management actions could be implemented. Alternative 5 would not allow ADC to meet six of the 11 objectives, and only partially meet two of the 11 objectives. The objectives not met are: to respond to requests for assistance, reduce predation to lambs, sheep and calves, assist the UDWR in meeting wildlife management objectives, and to reduce threats to public health and safety. Objectives concerning providing information on nonlethal wildlife damage management techniques, monitoring producer use of nonlethal methods and the nontarget species objective would be met. Impacts of Alternative 5 are higher than those for Alternatives 1 or 3.

Alternative 6. Technical Assistance Only. Under Alternative 6, ADC would be restricted to providing technical assistance and all operational wildlife damage management in the ADC District (Alternative 1) would be eliminated. Alternative 6 was not selected because it was inconsistent with Forest Service and BLM policy, and it is likely the Forest Service and BLM could not meet their management guidelines. Alternative 6 would not allow ADC to meet ten of the eleven objectives. These objectives are to respond to requests, reduce predation to lambs, sheep and calves, assist UDWR in meeting wildlife objectives and to respond to public safety requests. The objectives to provide information on nonlethal damage management and monitoring would only be partially met; the nontarget species objective would be met. The analysis indicates that the impacts of Alternative 6 are higher than Alternatives 1 or 3.

The Alternatives Considered but not Analyzed in Detail are the Following:

Compensation for Wildlife Damage Losses Alternative. The Compensation alternative would direct all District program efforts and resources to the verification of livestock and poultry losses from predators and providing monetary compensation to the producers. ADC services would not include any direct damage management nor would technical assistance or nonlethal methods be provided. This alternative was eliminated from detailed analysis in ADC's Final EIS because of many disadvantages (USDA 1994). Some disadvantages listed in the Final EIS are:

1) the alternative would require large expenditures of money and work force to investigate and validate all losses and determine and administer appropriate compensation;

2) compensation would most likely be below full market value, and making timely responses to all requests to assess the losses would be difficult; many losses could not be verified;

3) compensation would give little incentive to livestock owners to limit predation through improved husbandry practices and other management strategies;

4) not all ranchers would rely completely on compensation and lethal control of predators would most likely continue as permitted by State law; and

5) Congress has not appropriated funds to compensate for predation or other wildlife damage to agricultural products.

Eradication and Suppression Alternative. The eradication and suppression alternative would direct all District program efforts' toward planned, total elimination or large scale population suppression of native predatory species. Eradication of unprotected predators, such as coyotes, is legal in Utah but is not supported by ADC, the UDWR, or UDA. This alternative was not considered in detail because:

1) ADC is opposed to the eradication of any native wildlife species;

2) UDWR and UDA oppose the eradication of any native Utah wildlife species;

3) the eradication of a native species or local population would be extremely difficult, if not impossible, to accomplish;

4) would be cost-prohibitive; and

5) eradication is not acceptable to most members of the public.

Suppression would direct ADC program efforts toward managed reduction of certain problem wildlife populations or groups. Considering large-scale population suppression as the basis of the ADC program is not realistic, practical, or allowable under present ADC policy. Typically, ADC activities in the District would be conducted on only a small portion of the area inhabited by target species or individuals.

In localized areas where damage can be attributed to predation by specific groups, the UDWR, as the responsible management agency, has the authority to lengthen hunting seasons and increase hunter tag quotas for cougars and bear. UDA has the authority to control unprotected predators such as coyotes. When many requests for wildlife damage management are generated from a localized area, ADC after consultation with UDWR or UDA, would consider suppression of the local population or groups of the offending species, if appropriate.

Restrict Human Access to Remote Areas to Prevent Human Safety Concerns. ADC is not a regulatory or land management agency, nor does ADC have any land management authority. For Federal lands, land managing agencies have the option of closing areas for specific reasons, including public safety concerns. As ADC lacks the authority to close or restrict access to remote areas, this alternative is outside the scope of the EA.

Prevent Livestock Owners from Conducting Wildlife Damage Management Activities. ADC is not a regulatory agency. In Utah, management responsibility for predatory animals rests with the UDWR, Utah Wildlife Board (for red fox, cougar, and black bear), and the UDA, Utah Wildlife Damage Prevention Board (for coyotes). These two Boards direct what measures are allowable for livestock owners and the public. Because the decisions to be made

for this alternative are made by State entities, this alternative is outside the scope of this EA.

Utilize Public Hunters for Wildlife Damage Management Activities (especially for cougar and black bear). Currently, no season or license restrictions are placed on the public regarding the taking of coyotes or red fox. The UDWR administers the Utah Wildlife Board policies for taking cougars and bears. Current policies of the Utah Wildlife Board allow the UDWR to direct recreational hunters into areas with depredation problems to remove cougars or bears. The decisions to be made for this alternative are made by the Utah Wildlife Board, therefore, this alternative is outside the scope of the EA.

Buying Out Landowners with Predator Problems. Current direction provided in the Animal Damage Control Act of 1931, as amended, does not allow for the acquisition of land, nor does ADC have any land managing authority. The option of land acquisition for habitat protection is available to Federal and State land managing agencies and may be exercised when deemed appropriate. Because the decisions to be made for this alternative are made by State or Federal land managing agencies, this alternative is outside the scope of this EA.

Non-lethal prior to Lethal Control. This alternative, identified by the Multi-agency Team and sent out in the request for comment, was incorporated into the present Alternative 4. The Alternative, as originally identified, simply required non-lethal practices before the implementation of lethal control. An analysis of the 138 sheep herds grazing in the District in 1995 showed that 100% of the producers were utilizing at least one non-lethal control method, and 87% were utilizing five or more non-lethal predation management methods (ADC 1996). Therefore, it was determined that the analysis of this alternative, as originally envisioned, would be identical to the analysis of the current program. The current Alternative 4 incorporates the non-lethal prior to lethal component, further refining ADC lethal control, and was analyzed in place of this alternative, originally described in the public involvement letter.

Decision Summary

I have carefully reviewed the EA and the public input resulting from public involvement and the Pre-Decision EA review process. I believe the issues identified in the EA are best addressed by selecting Alternative 3. Alternative 3 provides the best range of damage management methods considered practical and effective to meet the objectives, address the issues, and accomplish ADC's Congressionally directed activities. In keeping with current ADC policies, social considerations, including humane issues, will be considered in ADC activities. While Alternative 3 does not require non-lethal methods to be used by producers, ADC will continue to provide information and encourage the use of practical and effective non-lethal methods by livestock producers. By this Decision, I am directing the Northern Utah ADC District to implement Alternative 3, Objectives A-5 and A-7 and pertinent mitigation measures as discussed in the Pre-Decision EA.

Finding of No Significant Impact

The EA indicates that there will not be a significant impact, individually or cumulatively, on the quality of the human environment because of this proposed action and that these actions do not constitute a major Federal action. I agree with this conclusion and therefore determine that an Environmental Impact Statement will not be prepared. This determination is based on the following factors:

1. Predator damage management, as conducted in the Northern Utah ADC District, is not regional or national in scope.

2. Based on the analysis documented in the EA, the impacts of the predator damage management program will not affect the human environment.

3. The proposed action will not have an impact on unique characteristics of the areas such as historical or cultural

resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecological critical areas.

4. The proposed action will not significantly affect public health and safety. No accidents associated with ADC predator damage management are known to have occurred in northern Utah.

5. The effects on the quality of the human environment are not highly controversial. Although there is opposition to predator damage management, this action is not controversial in relation to size, nature, or effects.

6. Mitigation measures adopted as part of the proposed action minimize risks to the public and prevent adverse effects on the human environment and reduce uncertainty and risks.

7. The proposed action does not establish a precedent for future actions with significant effects. This action would not set a precedence for additional predator damage management that may be implemented or planned within the area.

8. The number of animals taken (both target and non-target) by ADC annually is small in comparison to the total population. Adverse effects on wildlife or wildlife habitats would be minimal.

9. No significant cumulative effects were identified by this assessment or other actions implemented or planned within the area.

10. Predator damage management would not affect cultural or historic resources. The proposed action does not affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places nor will cause a loss or destruction of significant scientific, cultural, or historical resources, including interference with American Indian traditional uses or Sacred sites.

11. An evaluation of the proposed action and its effects on T&E species determined that no significant adverse effects would be created for these species. The proposed action will fully comply with the Endangered Species Act of 1973, as amended. In the EA, the concern for viability of T&E species addresses not only the legal mandate to preclude jeopardy, but also recognizes the opportunity to protect T&E species from direct predation. Both concerns were analyzed in the EA. Consultation with the U.S. Fish and Wildlife Service has taken place, and their input was used as part of the mitigation development process.

12. This action would be in compliance with Federal, State and local laws or requirements for predator damage management and environmental protection.

Michael R. Worthen

MAY 16 1996

Michael Worthen
Regional Director, USDA-APHIS-ADC

Date

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